

Exhibit A

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2
UNITED STATES DISTRICT COURT
3
DISTRICT OF ARIZONA
4

5
6 Mi Familia Vota, et al.,
7 Plaintiffs,
8

9 v.
10 Adrian Fontes, in his official capacity as
Arizona Secretary of State, et al.,
11

Defendants.

Case No. 2:22-cv-00509-SRB
(Lead)

12 AND CONSOLIDATED CASES.

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14
15
16
No. CV-22-00519-PHX-SRB
No. CV-22-01003-PHX-SRB
No. CV-22-01124-PHX-SRB
No. CV-22-01369-PHX-SRB
No. CV-22-01381-PHX-SRB
No. CV-22-01602-PHX-SRB
No. CV-22-01901-PHX-SRB

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18 **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF**
THE ARIZONA ATTORNEY GENERAL PURSUANT TO RULE 30(b)(6)

19 PLEASE TAKE NOTICE that pursuant to Rules 26 and 30(b)(6) of the Federal
20 Rules of Civil Procedure, Plaintiffs in the above-captioned action, by their counsel, will
21 take the deposition of a representative person(s) designated by Defendant Arizona
22 Attorney General Kris Mayes, in her official capacity as the Arizona Attorney General, to
23 testify on the Attorney General's behalf regarding the topics described in Exhibit A,
24 attached hereto. The deposition will be taken upon oral examination before an official
25 authorized by law to administer oaths under the Federal Rules of Civil Procedure and will
26 be recorded by stenographic and videographic means. The deposition will be conducted
27 on August 29, 2023, at 9:30 a.m. at the Arizona Attorney General's offices at 2005 N.
28 Central Avenue, Phoenix, AZ, 85004, as well as by videoconference.

1 Dated: August 24, 2023

2 **EXHIBIT A**

3 Pursuant to Federal Rule of Procedure 30(b)(6), Plaintiffs provide the following
4 description of topics for examination at the deposition of the Arizona Attorney General.
5

6 **DEFINITIONS**

7 Except as specifically defined below, the following terms shall be construed and
8 defined in accordance with the Federal Rules of Civil Procedure, wherever applicable. Any
9 terms not defined shall be given their ordinary meaning.

10 1. "Any" or "all" means "any and all."

11 2. "Challenged Laws" means Arizona House Bill 2492 signed into law by the
12 Governor on March 30, 2022, Chapter 99 to Session Laws from the Fifty-fifth Legislature
13 Second Regular Session 2022, and Arizona House Bill 2243 signed into law by the
14 Governor on July 6, 2022, Chapter 370 to Session Laws from the Fifty-fifth Legislature
15 Second Regular Session 2022.

16 3. "Communication" means any transfer of information of any type, whether
17 written, oral, electronic, or otherwise, and includes transfers of information via email,
18 report, letter, text message, voicemail message, written memorandum, note, summary, and
19 other means. It includes communications entirely internal to the Arizona Attorney
20 General's Office, as well as communications that include or are with entities and
individuals outside of the Arizona Attorney General's Office.

21 4. "Document" is synonymous in meaning and scope to the term "document"
22 as used under Federal Rule of Civil Procedure 34 and "writings" and "recordings" as
23 defined in Federal Rules of Evidence 1001, and it includes, but is not limited to, records,
24 reports, lists, data, statistics, summaries, analyses, communications (as defined above), any
25 computer discs, tapes, printouts, emails, databases, and any handwritten, typewritten,
26 printed, electronically recorded, taped, graphic, machine-readable, or other material, of
whatever nature and in whatever form, including all non-identical copies and drafts thereof,
27 and all copies bearing any notation or mark not found on the original.

1 5. “H.B. 2617” means Arizona House Bill 2617, Chapter 99 to Session Laws
2 from the Fifty-fifth Legislature Second Regular Session 2022, vetoed by the Governor on
3 May 27, 2022.

4 6. “Including” means “including but not limited to.”

5 7. “Nonstandard Address” means, but is not limited to, residential addresses
6 that do not include a complete address number and/or a street name; addresses that appear
7 to be directions (such as “between mile markers x and y” or “the second house on the left”);
8 addresses that include a complete address number and street name or otherwise resemble a
9 standard address, but are not listed in nontribal governmental databases; and other
10 addresses that lack address coordinators or are not typically geocoded.

11 8. “Person” means not only natural persons, but also firms, partnerships,
12 associations, corporations, subsidiaries, divisions, departments, joint ventures,
13 proprietorships, syndicates, trust groups, and organizations; federal, state, or local
14 governments or government agencies, offices, bureaus, departments, or entities; other
15 legal, business, or government entities; and all subsidiaries, affiliates, divisions,
16 departments, branches, and other units thereof or any combination thereof.

17 9. “Racially Polarized Voting” means “the existence of a correlation between
18 the race of voters and the selection of certain candidates,” *Thornburg v. Gingles*, 478 U.S.
19 30 (1986).

20 10. “Relating to,” “regarding,” or “concurring” and their cognates are to be
21 understood in their broadest sense and shall be construed to include pertaining to,
22 commenting on, memorializing, reflecting, recording, setting forth, describing, evidencing,
23 or constituting.

24 11. “You,” “your,” and “Attorney General” means Defendant Kris Mayes in her
25 official capacity as Arizona Attorney General, and includes any predecessors and
26 successors to the Arizona Attorney General’s Office; any past and present employees, staff,
27 agents, assigns, and representatives of the Arizona Attorney General’s Office; and any
28 other persons or entities that, at any time, acted on behalf or for the benefit of the Arizona
Attorney General’s Office.

DEPOSITION TOPICS

1. Any involvement of the Attorney General's office in the introduction and passage/attempted passage of the Challenged Laws and/or H.B. 2617.

2. Communications between or among the Attorney General's office and any State Legislators, the Governor, the Secretary of State, any County Recorders, Republican National Committee, Arizona Free Enterprise Club, Heritage Foundation, American Legislative Exchange Council, Election Transparency Initiative, Honest Elections Project, America First Policy Institute, Public Interest Law Foundation, Judicial Watch, or any other Persons, regarding the Challenged Laws and/or H.B. 2617.

3. The Attorney General's understanding of how the Challenged Laws are intended or expected to operate, the Attorney General's role in any such operation, the Attorney General's interpretation of the Challenged Laws, and the means by which the Attorney General intends to implement or enforce the Challenged Laws if they are not enjoined.

4. Policies, procedures, recommendations, discussions, communications, guidance, training materials, trainings, directives, or proposals regarding the Challenged Laws that Your office has created, intends to create, implemented, or plans to implement, including policies, procedures, and training materials regarding how Your office will manage referrals from the Secretary of State, other Arizona officials, or other Persons regarding the citizenship status of registered voters or voter registration applicants.

5. All databases or other sources of citizenship information that are accessible to You or that You anticipate will become accessible to You and the practicability of using such databases and sources as required by the Challenged Laws.

6. The Attorney General's anticipation of the likely effects of the operation or enforcement of the Challenged Laws, including on specific groups of Arizonans, including, but not limited to, naturalized citizens, Latinos, and Native Americans.

7. Any state interests You believe are furthered by the Challenged Laws and how the Challenged Laws further those interests.

1 8. Suspected, alleged, rumored, prosecuted, or proven instances of voter fraud
2 in Arizona from January 1, 2016, to the present related to voter registration or voting by
3 non-citizens or non-residents.

4 9. The Arizona Attorney General Office's Criminal Division's "Election
5 Integrity Unit," including the Unit's investigation into allegations of voter fraud after the
6 2020 election, its findings, and any related reports.

7 10. The Attorney General's role in deciding what information and reports to
8 release, and when, in connection with the Attorney General's investigation into voting after
9 the 2020 election, and the Documents and Communications related to that investigation.

10 11. The Attorney General's understanding of the laws, rules, processes,
11 procedures, and methods for preventing voting fraud in Arizona prior to the enactment of
12 the Challenged Laws, including (but not limited to) laws, rules, and methods for preventing
13 noncitizens or nonresidents from voting, and the process for investigating and prosecuting
14 allegations of voter fraud.

15 12. The Elections Procedures Manual versions in place from 2017 to the present
16 as they relate to voter registration processes, including initial registration applications,
17 voter status changes, and removals.

18 13. The discovery produced by You in this matter, including Documents,
19 Communications, and discovery responses to the requests for production and
20 interrogatories from Plaintiffs.

21 14. Documents reviewed by any Rule 30(b)(6) representative to refresh their
22 recollection or otherwise educate them about the noticed deposition topics in preparation
23 for this deposition.

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1 */s/ Christopher Dodge (with permission)*

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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2023, I served the foregoing **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF THE ARIZONA ATTORNEY GENERAL PURSUANT TO RULE 30(b)(6)** on counsel of record for all parties by email.

Dated: August 24, 2023

/s/ Daniel A. Arellano

Daniel A. Arellano